മിസ്റ്റർ വി. കെ. ജോസഫ് : ചോദ്യം (ഡി) ക്ക് (Nil) എന്നാണ് ഇതിൽ ഉത്തരം പറഞ്ഞിരിക്കുന്നത്. അപ്പോൾ ക്ഷാർട്ടേജ് കൊടുക്കുന്നില്ലെന്നാണൊ അതിൽ നിന്നു മനസ്സിലാക്കേണ്ടത്?

മിസ്റ്റർ ഇ. ഇക്കണ്ടവാരിയർ : നോട്ടീസ്സു വേണം.

മിസ്റ്റർ ഇട്ടൂപ്പ അംബൂക്കൻ : ഗവൺമെണ്ടിൽനിന്നും ഏതെങ്കിലും മില്ലുടമസ്ഥന്മാരിൽ നിന്നും ഇൻകം ടാക്സ് (Income-tax) വസൂൽ ചെയ്യുന്നതായിട്ട് അറിയാമൊ?

മിസ്റ്റർ ഇ. ഇക്കണ്ടവാരിയർ : നോട്ടീസ്സു വേണം.

2. ADJOURNMENT MOTION

Mr. President : I have received of an adjournment motion from Mr. C.V. Iyyu, *i.e.*, to discuss an urgent matter of public importance, to wit, to discuss the situation arisen in the State due to the press reports of the Hindu dated 11th December 1948 in column 3, on page 4 under the caption "Merger of States" and also of the "Powraneethi" (പൌരനീതി) under the caption "ഒരു മാസത്തിനകം ഇന്ത്യൻയൂണിയനിൽ ലയിക്കും" on page 1 of the issue of that Malayalam daily dated 12th December 1948 (evening edition) pointing out that "This State along with other bigger as well as smaller states within a month". The Hon'ble Member will please explain how it is a matter of urgent public importance.

Mr. C. V. Iyyu *(Kunnamkulam):* The Hon'ble Member for Finance in his budget speech has pointed out to this House that the State has to bring its taxation level as far as possible in common with the neighbouring province in the Indian Union so that the State may exist as a separate entity or rather as a separate unit so as to enable the State to join the Federation as an equal partner with the Provinces and other States. The question of merging was not raised by the Hon'ble the Finance Minister nor by any Member of Government. Neither the Government-if they had any knowledge about the merger—would have called together this meeting to prepare a budget till the end of this official year 1124. Even till two or three days back Government also seem to have had no knowledge about these things, Under the circumstances I am afraid that the Union Government is taking certain quick decisions, probably without the knowledge of this Government and definitely without consulting both the people or their representatives.

Mr. President : How is it a matter of public importance? We are on the question of admissibility and not on the merits.

Mr. C. V. Iyyu *(Kunnamkulam):* This is an urgent matter of public importance because it is going to change the whole structure and constitution as well as even our status as the citizens of the State. Moreover, we will not get an opportunity to assemble here again and express our opinion in the matter. Neither there seems to be an idea left with the Government of India to consult the people who have practically acquired the sovereign right nor have they raised any question of Aikya Kerala about which there have been recently a lot of talk. Hence under the present circumstances and also because the House is going to be prorogued tomorrow this is the only opportunity which this House and the Government may have for expressing their opinion in public. Therefore, too I submit that this is a matter of urgent public importance. I also would like to know whether these are irresponsible statements made by newspapers. Two days back I read another version in the Madras Mail that Travancore and Cochin are going to be integrated into one State.

Mr. President : That is not part of the adjournment motion.

Mr. C. V. Iyyu *(Kunnamkulam):* That aspect also can be considered along with this motion if allowed since the motion deals with a wide issue. So I request the Hon'ble President to allow the motion.

Mr. P. Govinda Menon *(Minister for Finance and Law)* : Adjournment motions are generally tabled against actions of Government or events for which Government are responsible or may be held responsible. Here are two paper reports referred to about which I can assert with absolute certainty on the floor of this House that Government are not responsible. The point raised in the motion is about two statements in two very respectable dailies, *viz.*, the Hindu and the Powraneethi; I can only say that Government do not hold themselves responsible for these statements, because the point of every adjournment motion is that this House wants to criticise a certain action of Government or certain matters for which Government are either responsible or should be held to be responsible. On ultimate analysis an adjournment motion if moved is a censure upon Government. Why should this Government be censured for a paper report in the Powraneethi?

*Speech not corrected by the Hon'ble member.

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Mr. President: The motion is to discuss the situation arising out of the publication of these reports.

Mr. P. Govinda Menon *(Minister for Finance and Law):* The situation must be one or which Government are responsible. The situation is the situation created by the two paper reports,

Mr. President: I am only trying to clarify the matter. We have got some instances like this *viz.*, to discuss the strike now going on in such and such a mill. Is the Government responsible for it?

Mr. P. Govinda Menon *(Minister for Finance and Law):* Because the Government of Cochin are responsible for the economic condition of the country and the strike situation denotes or indicates a certain economic situation for which on ultimate analysis Government are responsible.

Mr. President: Will not the Government be responsible for this case also, *viz.*, the merger, if it materialises?

Mr. P. Govinda Menon *(Minister for Finance and Law):* But the statement of the case as made out by the Hon'ble Member shows that it is the Government of India which will be responsible and, therefore, I fear he has mistaken his forum in which case this motion should be moved in the Dominion Assembly.

Mr. President: Where he has no place *(Laughter).*

Mr. C. V. Iyyu *(Kunnamkulam):* Yes. But I have to point out that neither in the rules nor in the Standing Orders there is any indication that only on a subject for which the Government are responsible adjournment motions can be moved. Adjournment motions can be made to discuss "any matter of urgent public importance", whether people are responsible or Government are responsible.

Mr. President: Even about the conclusion of the treaty between China and Japan? *(Laughter).*

Mr. C. V. Iyyu *(Kunnamkulam):* Rule 21, page 7 "A motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the President". Then the next rule is as follows: "The right to move the adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restriction", and in the restriction there is no restriction laying down that only for a matter for which the Government are responsible adjournment motions can be tabled. In S.O. Nos. 13 and 14 there is not a whisper about the point of order raised by the Hon'ble Minister for Law and Finance. So on a matter like this although the Government are not strictly responsible it is the duty of the Government to clarify the situation by a statement or give proper information of the people of Cochin. This is an urgent matter of great public importance about which the people of Cochin are very much interested. I therefore once again request that this motion may be allowed.

Mr. P. Govinda Menon *(Minister for Finance and Law):* I am not objecting to any discussion. In rule 22(2) it is stated that the motion must be restricted to a specific matter of recent occurrence.

Mr. C. V. Iyyu *(Kunnamkulam):* It is undoubtedly about a recent occurrence.

Mr. P. Govinda Menon *(Minister for Finance and Law):* The motion is about paper reports. That is exactly why I said that it is a motion on the paper reports.

Mr. C. V. Iyyu *(Kunnamkulam):* There is no restriction that paper reports need not be taken into consideration. The occurrence is the dissemination of this important news, whether it is false or not, the news is of paramount importance to the very existence of the State. Under the circumstances the technical objections which the Hon'ble Minister has pointed out against allowing this motion in my humble opinion do not stand and hence the motion has to be admitted for discussion.

Mr. P. Govinda Menon *(Minister for Finance and Law):* The question which the Hon'ble Chair will be—pleased to consider further is whether two reports appear not even undersigned names which are not even the opinion of the papers, not being the editorials. Two paper reports are referred to and on a matter like this I would respectfully submit that it will be too much to say that because certain reports like this appear in the papers this Assembly should adjourn its business to have a discussion on the matter.

Mr. C. V. Iyyu *(Kunnamkulam):* I admit they are neither signed reports nor editorials. But they are not reports generally appearing in Malayalam papers as ഒ.ഒല. or ഠാ.ഒല. or ഉപ. ഒല. It is the United Press News which has got status and standing in India. When they give such a report it must be with some responsibility. Government have not published any Press Note contradicting the press reports although it is a piece of very important news.

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[Mr. C. V. Iyyu]

So I would most humbly submit that the House ought to adjourn its business to discuss such a very urgent and important matter of public importance.

Mr. President : According to the Hon'ble Member it is an urgent matter of public importance and according to the view of the Hon'ble Minister it is not.

Mr. P. Govinda Menon *(Minister for Finance and Law):* Every one of the rules is opposed to this motion, *e.g.*, please at rule 22(5)—"The motion must not deal with a matter on which a resolution could not be moved".

Mr. C. V. Iyyu *(Kunnamkulam):* I cannot table a resolution now or even today or last saturday when I read the news.

Mr. President : Is it a matter upon which a resolution cannot be moved?

Mr. P. Govinda Menon *(Minister for Finance and Law):* In the rules relating to resolutions it will be found that there are certain restrictions, given under rule 40. "No discussion shall be permitted to any of the following subjects: (a) any matter removed from the cognizance of the Assembly under sub-section 2 of the section 24 of the Act".

Mr. President : But it does not come under that.

Mr. A. Eachara Menon *(Chittur Thattamangalam):* Should not the occurrence be such that it has already affected the people?

Mr. President : I am not sure about that.

മിസ്റ്റർ കെ. അയ്യപ്പൻ: ഇതൊരു പുതിയ സംഭവമൊന്നുമല്ല. ഈ മാതിരി പത്രറിപ്പോർട്ടുകൾ ഈ കായ്ത്തെക്കുറിച്ച് തന്നെ ഇതിനുമുമ്പ് പലപ്പോഴുമുണ്ടായിട്ടുണ്ട്. ഈ കായ്ത്തെക്കുറിച്ച് ഒരു പ്രമേയം അവതരിപ്പിക്കുവാനുള്ള സമയം ബഹുമാനപ്പെട്ടമെമ്പർക്കുണ്ടായിരുന്നു.

മിസ്റ്റർ സി. വി. ഇയ്യു: ഇല്ല.

മിസ്റ്റർ കെ. അയ്യപ്പൻ: മദിരാശിയിലേയും ഇവിടത്തേയും പത്രങ്ങളിൽ ഈ കായ്ത്തെക്കുറിച്ച് ഇതിനു മുമ്പ് റിപ്പോർട്ടുകളുണ്ടായിരുന്നു. എന്നുതന്നെയല്ല പത്രറിപ്പോർട്ടുകളിൽ കണ്ട കായ്ത്തെപ്പറ്റി ഇവിടെ വാദപ്രതിവാദം നടത്തുന്നതു ശരിയല്ല.

മിസ്റ്റർ സി. വി. ഇയ്യു: ഇതിനു മുമ്പ് കണ്ടിരുന്ന റിപ്പോർട്ടുകളും ഐക്യകേരളത്തെ സംബന്ധിച്ചല്ലാതെ Merge ചെയ്യുന്നതിനെ സംബന്ധിച്ചൊന്നും കണ്ടിരുന്നില്ല. ബഹുമാനപ്പെട്ട ധനകായ്മന്ത്രിയുടെ ബഡ്ജറ്റ് പ്രസംഗത്തിലും ഈ കായ്ത്തെക്കുറിച്ചൊന്നും പറഞ്ഞിട്ടില്ല. മറ്റുള്ള ബഹുമാനപ്പെട്ട മന്ത്രിമാരുടെ പ്രസംഗത്തിലൊന്നിലും മെർജർ കായ്ം പറഞ്ഞു കേട്ടില്ല. ചില ആളുകൾക്ക് മദ്രാസ്സ് സംസ്ഥാനത്തോട് Merge ചെയ്യുന്നതായിരിക്കും നല്ലതെന്ന അഭിപ്രായമുണ്ടാകും. ചിലർക്ക് ഐക്യകേരളമാണ് നല്ലതെന്നായിരിക്കും അഭിപ്രായം. ചിലർക്ക് കൊച്ചി തനിച്ച് ഒരു Independent unit ആയിനില്ക്കുന്നതാണ് നല്ലത് എന്നായിരിക്കും അഭിപ്രായം. ചിലർക്ക് കൂടുകൂ പോലെ കേന്ദ്ര ഗവണ്മെന്റിന്റെ നേരിട്ടുള്ള ഭരണത്തിൽ ചേർന്ന് യോജിച്ച് നില്ക്കുന്നതായിരിക്കും നല്ലതെന്ന് അഭിപ്രായമുണ്ടായിരിക്കും. അതുകൊണ്ടാണ് ഞാൻ പറയുന്നത് ഇതിനെ സംബന്ധിച്ച് ഒരു വാദപ്രതിവാദം നടത്തിയാൽ മാത്രമേ പൊതുജനപ്രതിനിധ്യമുള്ള ഈ സഭയുടെ അഭിപ്രായം രൂപീകരിക്കുവാൻ സാധിക്കുകയുള്ളു. പ്രമേയങ്ങളും അയക്കുന്ന കാലത്തു മെർജർ കായ്ം പത്രങ്ങളിലൊ പുറമെയൊ തീരെ പ്രസ്താവമില്ലായിരുന്നു.

മിസ്റ്റർ കെ. അയ്യപ്പൻ: ഈ വർത്തമാനം പതിനാലു ദിവസത്തിനു മുമ്പും ഉണ്ടായിരുന്നു.

മിസ്റ്റർ സി. വി. ഇയ്യു: ഇല്ല, പതിനാലു ദിവസത്തിനു മുമ്പു ഒരിക്കലും ഇല്ലായിരുന്നു. അതുകൊണ്ടുകൂടി എന്റെ ഈ അടിയന്തിരപ്രമേയം അനുവദിക്കണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു.

Mr. C. A. Ouseph : *(Minister for Education and Public Health):* May I just say a word by way of clarification. Standing Order No. 13 under which leave is sought to make this motion, lays down that the motion for the adjournment of the business of the Assembly should be for the purpose of discussing a definite matter of urgent public importance. What is the definite matter here? No definite matter has been mentioned by the Hon'ble Mover. He only says, to discuss a situation arising in the State due to press reports. What is that definite matter upon which leave is sought?

Mr. C. V. Iyyu *(Kunnamkulm):* That is the definite matter—'the situation'.

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Mr. C. A. Ouesph *(Minister for Education and Public Health)*: What is the situation?

Mr. C. V. Iyyu *(Kunnamkulam)*: The urgent need to ventilate the views of this House and that of the Government on the meger question.

Mr. C. A. Ouseph *(Minister for Education and Public Health)*: : To discuss the motion we must know what the situation that has arisen is and the nature of that situation, or the description of the situation that has arisen must by understandable vocabulary be brought to this House, without simply saying that a situation has arisen. That does not satisfy the essentials laid down under Standing Order No. 13. It says: "Leave to make a motion for the adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be asked for....." So that a definite matter of urgent public importance must have arisen. Here, the motion reads: Under Rule 23 I beg leave to move the following adjournment motion, etc.....to discuss an urgent matter of public importance, to wit— and the urgent matter of public importance is—to discuss a situation that has arisen in the State due to the press reports. What is the situation that has arisen?

Mr. President: Alarm in the minds of the public.

Mr. C. A. Ouseph *(Minister for Education and Public Health)*: That has not been stated. If it were in the mind of the Hon'ble Member for Kunnamkulam that alarm has been caused in the minds of the public, he has to state that. But that he has not done. Without stating that.....

Mr. President: Order, Order. That the Hon'ble Member has told the House.

Mr. C. V. Iyyu *(Kunnamkulam)*: What I say is, I am not raising an issue of alarm. Some ask for merger with the Madras Presidency. After all what is the meaning of the word "definite".

Mr. C. A. Ouseph *(Minister for Eduction and Public Health)*: If the position is that there is alarm, the reply will be one of denial. There is no alarm. So that, without stating what the situation is, the Hon'ble Member cannot call upon the House to discuss this. Those who are to discuss must understand what is going to be moved.

Mr. C. V. Iyyu *(Kunnamkulam)*: Once more I have to clarify the issue. The definite matter which has been brought to the notice of the Hon'ble President is a situation created by the press reports referred to already in the motion. There may be some who want merger with the Madras Presidency, some who want Aikya-Kerala, many do want the State to stand as it is. Only when all the shades of view are taken into consideration the voice of the people can be heard. Here, when we read the newspaper report, made not by irresponsible persons, but by a very responsible newspaper agency, which has got some status, we want to know what the position is, not that any alarm is created. That is what I have to submit

Mr. President: One or two points I want to make clear. The Hon'ble Member's contention that any public matter can be made the subject of an adjournment motion here, that position, cannot be accepted. With respect to a matter of urgent public importance, it must have rather intimate relationship with matters here, and not with any part of the world. That will be putting a wide interpretation upon the expression "urgent matter of public importance". Now, let us take it that it is a matter which has got relation to our own State. As the Hon'ble Minister for Revenue mentioned, this question of merger was in the air and in the minds of the public somehow or other for a long time. And therefore merely because something appeared in the paper yesterday or the day before, it will not constitute a sufficient ground to make it a subject matter for an adjournment. And thirdly, I agree with the Hon'ble Minister for Education and Public Health in saying that there is no definite issue in this adjournment motion. Because, a situation arising from such and such a thing, if we word it like that—a situation arisen from the publication in the papers or similar expression—a situation—there, you find that the expression is not sufficiently indicative of a definite issue. A situation arisen—what is that situation arisen? And here, in this matter, it is not at all clear that there is a definite issue from the expression used, *viz.*, the situation arisen from such and such a thing. The Hon'ble Member referred to the alarm and that because I referred to it also. In a matter like that, of alarm created, it is a psychological phenomenom. I should even think that the degree of the alarm as it is perceived now will not satisfy the condition that it must be a definite matter of urgent public importance. Owing to these reasons, I venture to think that the motion is not in order. Therefore it is ruled out.

Motion ruled out

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